

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|----------------------|---|--------------|
| SAMUEL A. MIRRA | : | |
| | : | CIVIL ACTION |
| v. | : | No. 13-1677 |
| | : | |
| DANIEL FYNES, et al. | : | |

ORDER

AND NOW, this 25th day of February, 2014, upon consideration of defendants officer Daniel Fynes, detective John Lundell and Darby Township's motion to strike and partially dismiss (Dkt. No. 4), and plaintiff Samuel Mirra's response thereto (Dkt. No. 5) it is ORDERED that defendant's motion is GRANTED as follows:

1. Plaintiff's claims against defendant John Lundell are DISMISSED.
2. Plaintiff's claims against defendant Daniel Fynes for false arrest, false imprisonment and malicious prosecution in Counts I, II, III, and VII of his complaint are DISMISSED.
3. Plaintiff's claims against Darby Township are DISMISSED.

It is FURTHER ORDERED that on or before March 17, 2014, plaintiff is permitted to file an amended complaint to the extent that he is able to allege facts sufficient to support his dismissed claims.

/s/ Thomas O'Neill
THOMAS N. O'NEILL, JR., J.